



**STAFF REPORT**  
MAPC: April 27, 2023  
DAB VI: May 8, 2023

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**CASE NUMBER:** CUP2023-00011 (City)

**APPLICANT/AGENT:** West Property, LLC (applicant)/ Freestyle Sign Company (agent)

**REQUEST:** Minor amendment to the Plaza West CUP DP-4, Parcel 1C

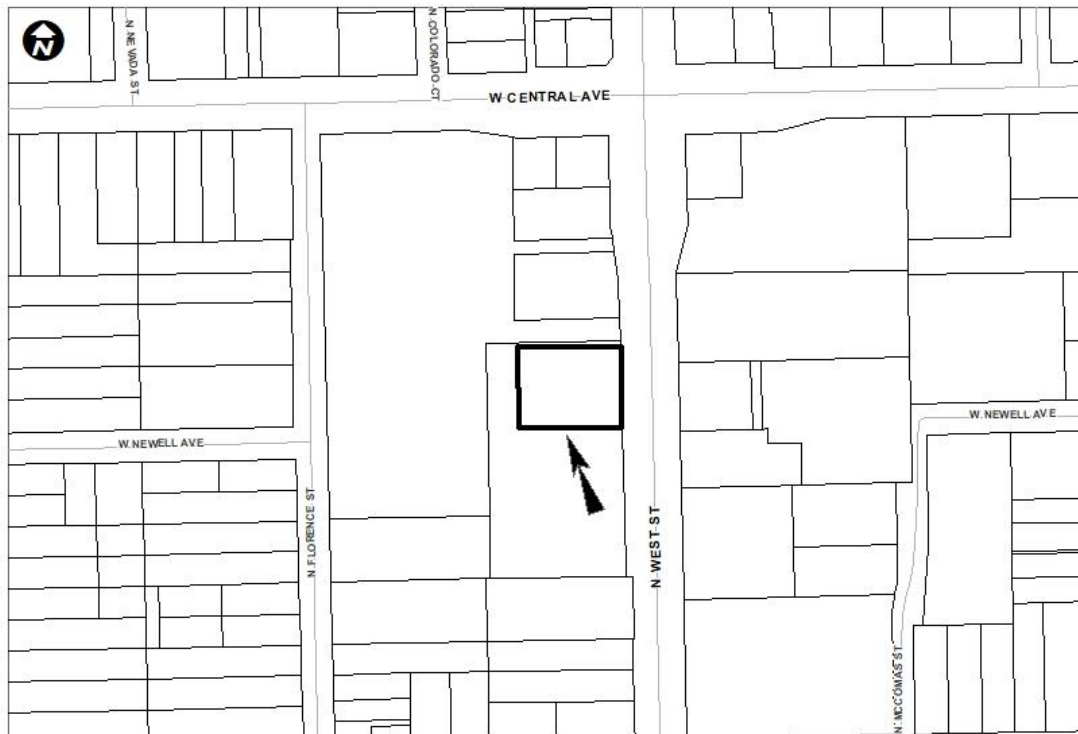
**CURRENT ZONING:** LC Limited Commercial District

**SITE SIZE:** 0.71 acres

**LOCATION:** Located on the west side of North West Street, within one block south of West Central Avenue (601 North West Street).

**PROPOSED USE:** Reduce minimum space between signs from 150 feet to 78 feet for new restaurant pole sign.

**RECOMMENDATION:** Approve with conditions.



**BACKGROUND:** The applicant is requesting a minor amendment to the Plaza West Community Unit Plan CUP DP-4 to amend General Provision 4 to reduce the minimum spacing between free-standing signs from 150 feet to 78 feet for Parcel 1C. The property is zoned LC Limited Commercial and is generally located on the west side of North West Street and within one-block south of West Central Avenue. In 2021, Parcel 1C was created to permit development of a new pad site in the existing parking area of Parcel 1A. Recently, a fast-food restaurant was constructed on Parcel 1C. As shown in Attachment 2, the proposed pole sign would be constructed approximately 78 feet south of the Plaza West Shopping Center’s identification sign.

General Provision 4 of the CUP states that signage shall conform to the standards of the Wichita Sign Code based on the underlying zoning district. Section 24.04.221 of the Wichita Sign Code permits the number of signs and their permitted square-footage based on the linear street frontage of the property. Based on the approximate 850 linear feet of frontage onto North West Street, the commercial shopping center is permitted the following:

- Six (6) on-site ground or pole signs
- 680 total sign area square footage
- Sign separation of 150 for individual business signs and shopping center identifications signs.

The shopping center has a total of four signs including the identification sign along the North West Street frontage. Parcel 1C is permitted up to 125 square feet of signage based on its linear frontage. The proposed 110.54 square feet of signage for the subject sign is in conformance with Wichita Sign Code.

The identification sign was placed in this area prior to the creation of Parcel 1C and includes signage for businesses that are not along the North West Street frontage. A reduction in the separation from the Plaza West Shopping Center sign and the proposed business sign is in character with modern Community Unit Plans in other parts of the City of Wichita. Modern Community Unit Plans provide a distinction in sign separation between individual business signs versus a separation between a business sign and the shopping center identification sign—with the distance between a business sign and identification sign being less than permitted by the Sign Code.

Properties to the north, west, and south are located within CUP DP-4, zoned LC Limited Commercial District and developed with a mixture of fast-foot restaurants and retail businesses. Properties to the east are zoned LC Limited Commercial and are developed with mixture of restaurants and retail businesses.

**CASE HISTORY:** In 1965, the Plaza West CUP DP-4 was established, and the subject site was originally platted as part of the Wescen Addition. Over the years, the CUP has been amended to provide additional development opportunities including the most recent amendment in 2021, which created Parcel 1C as discussed above. In 2021, the subject site was replatted as Lot 2, Wescen 2<sup>nd</sup> Addition.

**ADJACENT ZONING AND LAND USE:**

North: LC with DP-4	Fast-food restaurant
South: LC with DP-4	Retail
East: LC	Restaurant
West: LC with DP-4	Retail

**PUBLIC SERVICES:** Uses within CUP DP-4 have access to North West Street and West Central Avenue. The CUP requires cross lot access among parcels. Both North West Street and West Central Avenue are paved, five-lane arterial streets with sidewalks on both sides. Wichita Transit serves this site with bus stops along both North West Street and West Central Avenue at this location. All municipal services currently serve the site.

**CONFORMANCE TO PLANS/POLICIES:** The amendment to the CUP is in conformance with the policies and guidelines of the following plans.

*The Community Investments Plan:* The Community Investments Plan includes the 2035 Future Growth Concept Map.

This map indicates the site is appropriate for “New Employment” and is within Wichita’s 2035 Established Central Area. This category is described as: *areas likely to be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. Major shopping centers and office parks likely will be developed within this area as well based upon market driven location factors.* This CUP amendment is an example of an expansion of an existing shopping center creating more employment opportunities.

Wichita: Places for People Plan: The requested Conditional Use is in conformance with the goals of the *Wichita: Places for People Plan*. The *Wichita: Places for People Plan* provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as “a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles.” The requested amendment is in conformance with Strategy 3, which states: *Improve the economic feasibility of commercial/service uses and the markets necessary to support them.* It is also in conformance with Strategy 6, which states: *Encourage infill and redevelopment that is contextual to the environment in which it is occurring.*

**RECOMMENDATION:** Based upon the information available at the time the staff report was prepared, staff recommends the amendment to Parcel 1C of CUP DP-4 be **APPROVED** subject to the following conditions.

1. The reduction in sign separation shall apply only to the subject sign on Parcel 1C as shown on an approved site plan. All other signage shall conform the General Provisions of CUP DP-4.
2. The site shall be developed in substantial conformance to the original development guidelines and general provisions of the approved CUP DP-4.
3. The applicant shall submit four copies of the approved CUP within 60 days of final approval to the Metropolitan Area Planning Department or the CUP shall be deemed null and void.

This recommendation is based on the following findings:

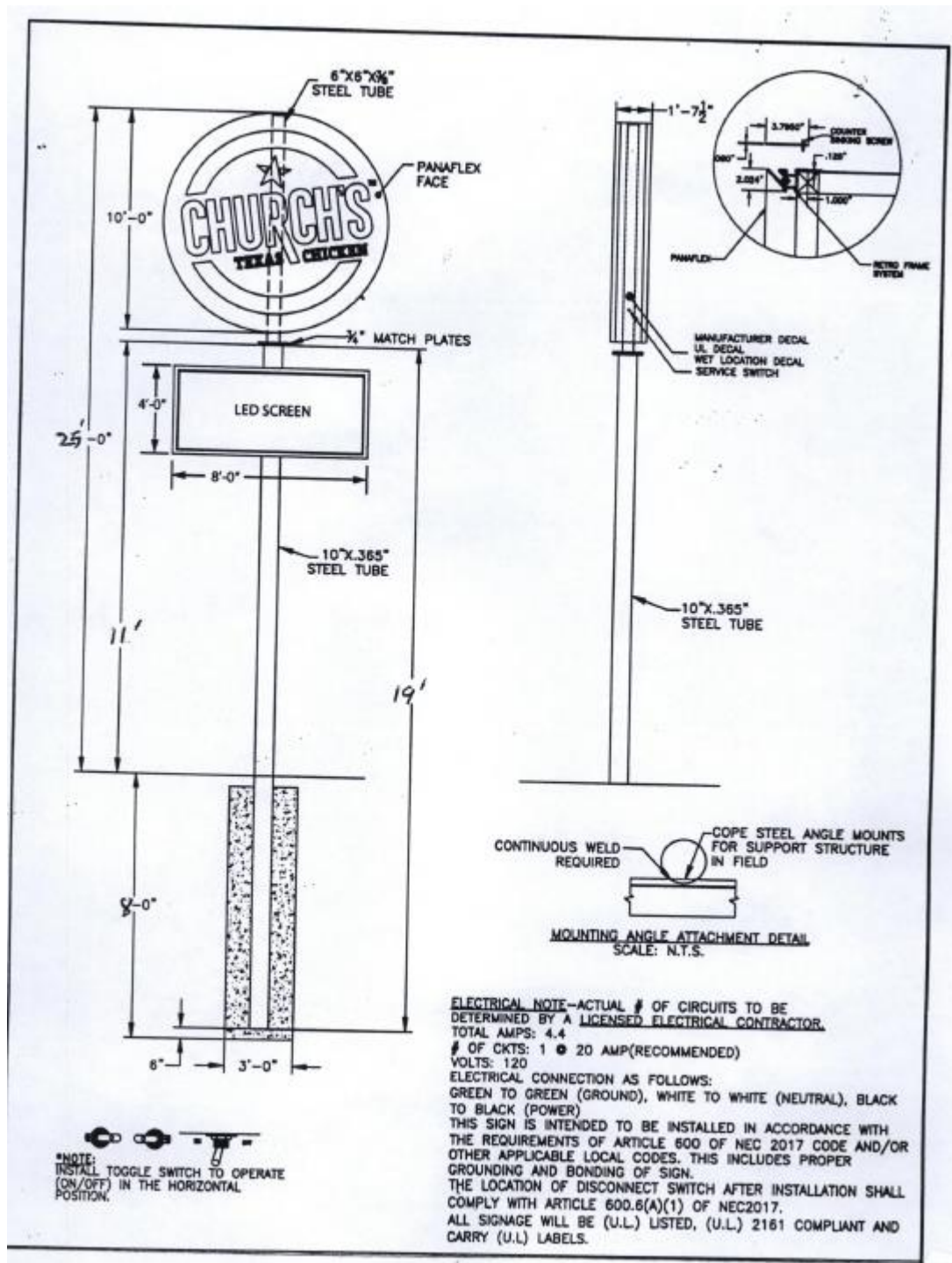
1. **The zoning, uses and character of the neighborhood:** Properties to the north, west, and south are located within DP-4, zoned LC Limited Commercial District and developed with a mixture of fast-foot restaurants and retail businesses. Properties to the east are zoned LC Limited Commercial and are developed with mixture of restaurants and retail businesses. Businesses fronting North West Street have their own pole signs separate from the shopping center identification sign. Businesses internal to the shopping center are advertised on the shopping center identification sign along North West Street.
2. **The suitability of the subject property for the uses to which it has been restricted:** This site is zoned LC Limited Commercial District with CUP DP-4. The site is suitable for commercial development like the new restaurant recently constructed on Parcel 1C. If the site was not within a CUP, the subject parcel would be permitted one ground or pole sign under the provisions of the Wichita Sign Code for the LC Limited Commercial District. The visual impact of the additional proposed sign is similar to how the corridor is currently developed.
3. **Extent to which removal of the restrictions will detrimentally effect nearby property:** Permitting the restaurant on Parcel 1C to have its own pole sign does not grant the parcel any additional sign rights than other parcels along the North West Street frontage. More modern CUPs within Wichita permit reduced sign spacing between individual business signs and the shopping center’s identification sign. The visual impact of the additional proposed sign is similar to how the corridor is currently developed.
4. **Length of time subject property has remained vacant as zoned:** In 2021, Parcel 1C was created from unused parking lot within the larger commercial development. Recently, a new fast-food restaurant has been

constructed on Parcel 1C.

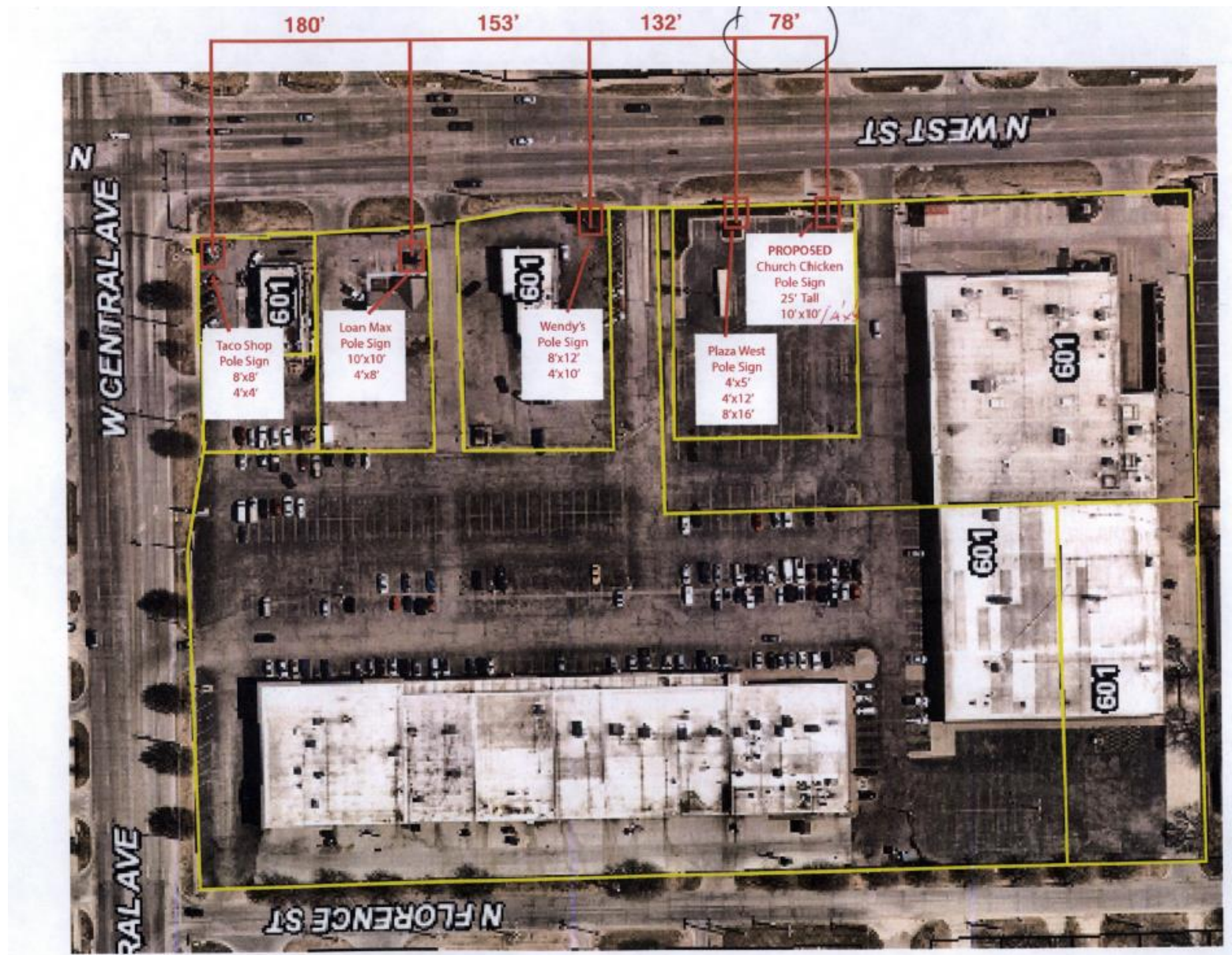
5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval would provide similar sign rights to the business on Parcel 1C as other parcels along the North West Street frontage. Denial might represent economic loss to the applicant.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The amendment to the CUP is in conformance with the policies and guidelines of *The Community Investments Plan* and the *Wichita: Places for People Plan* as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** The proposed amendment is not anticipated to have substantial detrimental impacts on community facilities.
8. **Opposition or support from neighborhood residents:** At the publication of the staff report, staff has not received any comment regarding this application.

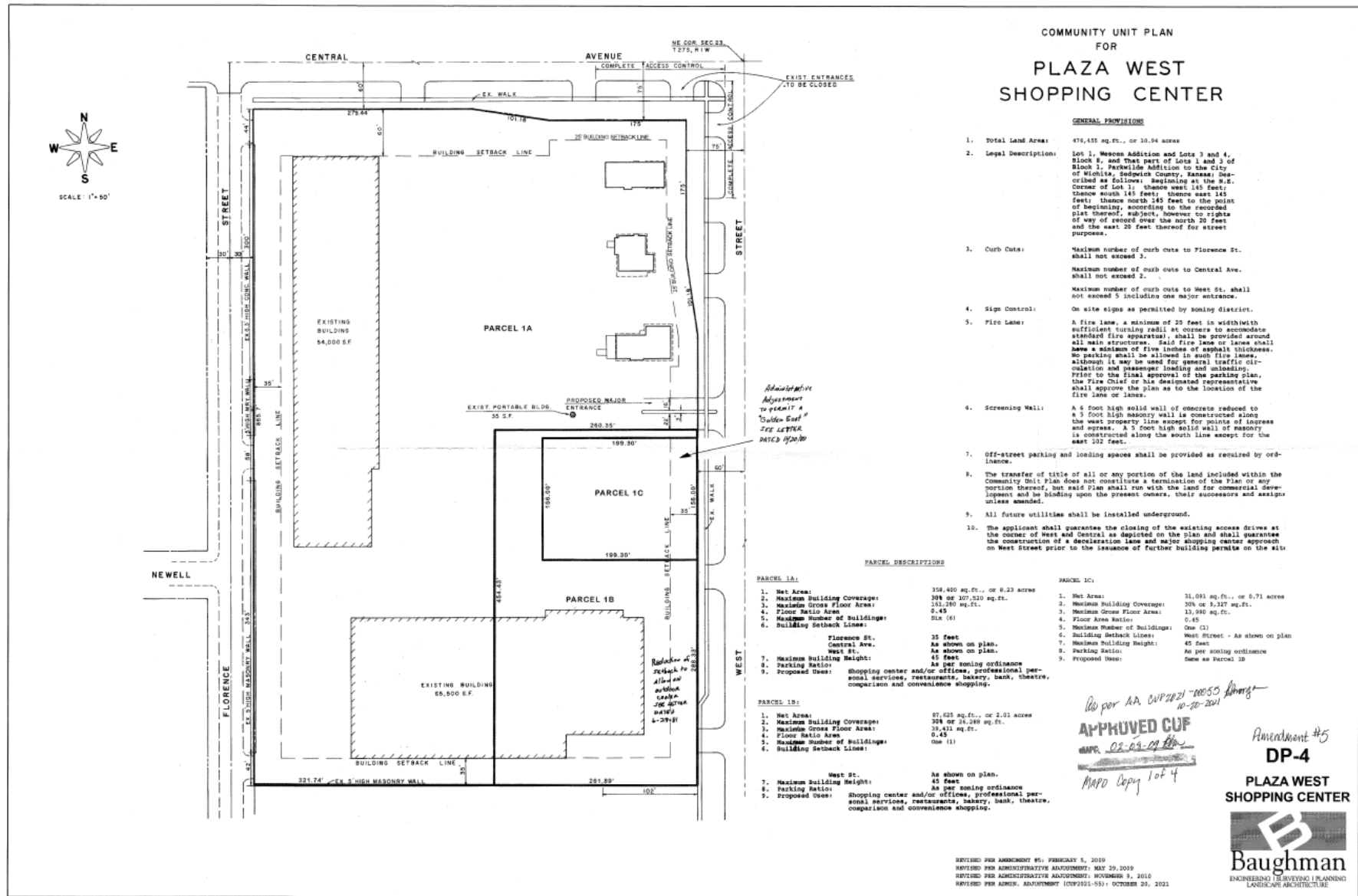
Attachments:

1. Sign Exhibit
2. Sign Spacing Exhibit
3. CUP Drawing
4. Aerial Map
5. Zoning Map
6. Land Use Map
7. Site Photos





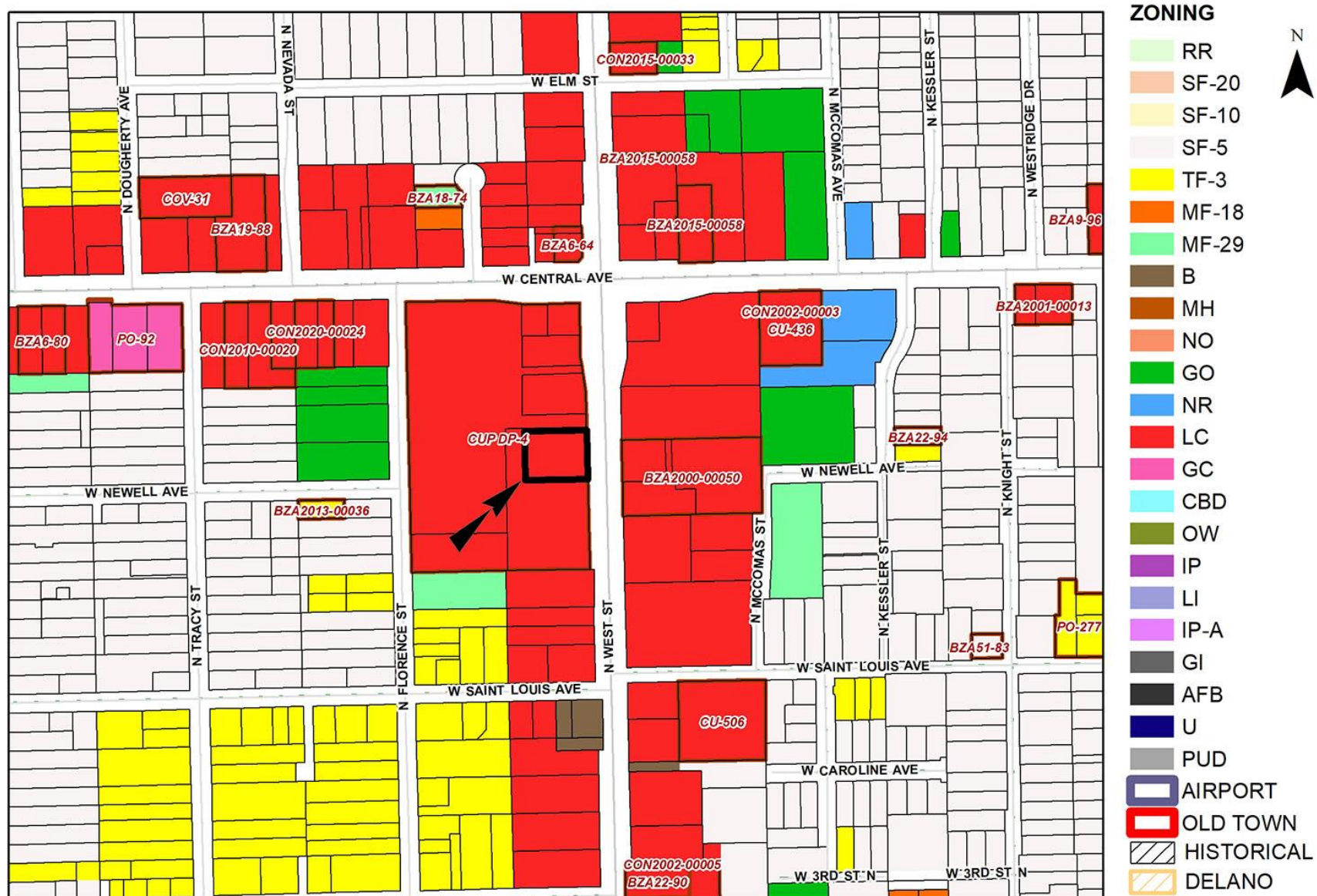



















# 2035 Wichita Future Growth Concept Map

## Legend

-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way

## Statistical Development Areas

-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

## LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Nghbd\_Plan\_Areas



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Looking northwest at site



Looking northeast away from site



Looking southwest away from site

